

IT IS ORDERED

Date Entered on Docket: August 31, 2021



The Honorable Robert H Jacobvitz  
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW MEXICO**

IN RE:  
EVA MARIE LOPEZ VALERIO  
SSN/ITIN: xxx-xx-4222

Debtor.

Case No. 7-21-10863-JL

**STIPULATED ORDER LIFTING AUTOMATIC STAY  
AND FOR ABANDONMENT OF PROPERTY**

THIS MATTER came before the Court on Motion for Relief from Stay and for Abandonment of Property filed by NewRez LLC D/B/A Shellpoint Mortgage Servicing, and the Court having considered the Motion and finding that NewRez LLC D/B/A Shellpoint Mortgage Servicing, is entitled to an Order abandoning the property and lifting the automatic stay imposed by the filing of the bankruptcy action, Debtor, by its counsel, and the Trustee consenting to the

relief requested and the form of this Order, modifying the automatic stay and providing for abandonment, the parties have agreed as follows:

IT IS THEREFORE THE ORDER OF THIS COURT that the automatic stay imposed by the filing of the above-entitled and numbered cause of action as the same pertains to all the property described in the note, including, but not limited to, certain personal property generally described as 2001 Schult Legacy SN 228538, located at 2200 N. Valley Dr. Las Cruces, New Mexico 88007, will be lifted as set forth above and the creditor, NewRez LLC D/B/A Shellpoint Mortgage Servicing, or its assignee, is permitted to proceed to obtain possession of the collateral, listed in the contract and security agreement.

IT IS FURTHER THE ORDER OF THIS COURT that as the above personal property is hereby abandoned pursuant to Section 554 of the Bankruptcy Code and the Petitioner shall not be required to name the Trustee as a Defendant in any legal action and may sell any of the collateral without further notice to the Debtor and the Trustee.

IT IS FURTHER THE ORDER OF THIS COURT that any deficiency owed by the Debtor to NewRez LLC D/B/A Shellpoint Mortgage Servicing after the sale of said collateral and shall be subject to the Bankruptcy Code should this bankruptcy continue and any discharge Order entered. If the Contract and Security Agreement to Creditor, NewRez LLC D/B/A Shellpoint Mortgage Servicing, is satisfied and any monies remain, such monies will be paid to the Trustee for the benefit of the estate.

IT IS FURTHER THE ORDER OF THIS COURT that upon termination of the automatic stay, USCS Bankruptcy Rule 4001(a)(3)(1999) is not applicable and NewRez LLC D/B/A Shellpoint Mortgage Servicing may immediately enforce and implement relief from the automatic stay and repossess the subject property.

IT IS FURTHER THE ORDER OF THIS COURT that the automatic stay will be deemed lifted for all parties/creditors having an interest in certain property generally described with the street address of 2200 N. Valley Dr. Las Cruces, New Mexico 88007, so as to proceed with peaceful and stipulated repossession.

IT IS FURTHER THE ORDER OF THIS COURT that any and all State Court proceedings already begun, pending, or concluded, shall be valid and NewRez LLC D/B/A Shellpoint Mortgage Servicing may continue forth in said proceedings as if the bankruptcy had not been filed, and no deficiency will be pursued in the event the Debtor obtain a discharge.

XXX END OF ORDER XXX

SUBMITTED BY:

ROSE L. BRAND & ASSOCIATES, P.C.

By /s/Elizabeth Dranttel e-signed

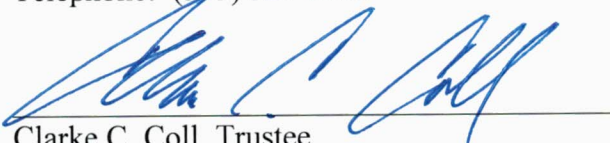
ELIZABETH DRANTTEL  
Attorney for NewRez LLC D/B/A Shellpoint  
Mortgage Servicing  
7430 Washington Street, NE  
Albuquerque, NM 87109  
Telephone: (505) 833-3036  
Facsimile: (505) 833-3040  
E-mail: Elizabeth.Dranttel@roselbrand.com

APPROVED BY:

ARVIZU LAW OFFICE

By concurrence received via e-mail 8.16.21

R. TREY ARVIZU, III  
Attorney for Debtor  
PO Box 1479  
Las Cruces, NM 88004-1479  
Telephone: (575) 527-8600  
treyl@arvizulaw.com  
Telephone: (575) 527-8600



Clarke C. Coll, Trustee  
P.O. Box 2288  
Roswell, NM 88202-2288  
Telephone: 575-623-2288

COPY TO:

Rose L. Brand &  
Associates, P.C.  
Attorney for NewRez  
LLC D/B/A Shellpoint  
Mortgage Servicing  
7430 Washington Street,  
NE  
Albuquerque, NM 87109

R. Trey Arvizu, III  
Attorney for Debtor  
PO Box 1479  
Las Cruces, NM 88004-1479  
Telephone: (575) 527-8600  
treyl@arvizulaw.com

Clarke C. Coll  
Chapter 7 Trustee  
Clarke C. Coll



Eva Marie Lopez  
Valerio, Debtor  
3411 Venus St  
Las Cruces, NM  
88012